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OCTOBER 23, 2012

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SUMMARY MINUTES
REGULAR COUNCIL MEETING

October 23, 2012

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, October 23, 2012, beginning at 7:08 p.m.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

Note: The actual agenda and all backup materials for each City Council meeting can be found at: www.northmiamifl.gov

Flag salute led by Major Franzia Brea-Burden

Inspirational Message

♦ Pastor Enoch Milien

ROLL CALL

Councilwoman Steril	Here
Councilman Galvin	Arrived at 7:13 pm
Mayor Pierre	Here
Vice Mayor Marcellus	Here
Councilman Blynn	Here

Additions, Deletions or Withdrawals

Tab K is moved after Tab K3 becoming K4

SPECIAL PRESENTATION(s)

♦ Recognition to *North Miami PAL* for participating in the Golf Tournament in collaboration with *Miami Beach PAL*

Chief Marc Elias, Jr. gave a brief report to Council regarding a successful golf tournament in partnership with Miami Beach PAL in May 2012. The partnership will continue again next year. Chief Elias announced an upcoming fundraising

event for PAL on November 2nd and encouraged everyone to come out and support the event.

- ◆ Representative *John Patrick Julien*, District 104 will provide update on pre-session

Representative John Patrick Julien, District 104 gave a brief report to Council regarding several upcoming legislative issues. Council discussion.

CITY EVENTS – ANNOUNCEMENT

Cyncia Celestin, Community Outreach Coordinator, on behalf of Pam Solomon, Public Information Officer, announced upcoming events for the City of North Miami.

HURRICANE PREPAREDNESS

Dr. Lumane Pluviose-Claude, Deputy City Manager, gave a brief report to Council regarding Tropical Storm Sandy and what to expect for upcoming days in Miami-Dade County.

CONSENT AGENDA

TAB A - APPROVAL OF MINUTES

– Regular Council Meeting – October 9, 2012

TAB B – AUTHORIZATION FOR EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND

TAB C – PROPOSED RESOLUTION APPROVING THE RENEWAL OF HEALTH INSURANCE COVERAGE FOR PLAN YEAR 2013 WITH UNITED HEALTHCARE, AS THE HEALTH CARE INSURANCE COVERAGE PROVIDER FOR CITY EMPLOYEES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE SAID COVERAGE, AS DIRECTED BY THE MAYOR AND CITY COUNCIL

TAB D - PROPOSED RESOLUTION ENDORSING A PROCLAMATION BY THE FLORIDA GOVERNOR AND CABINET DESIGNATING THE WEEK OF OCTOBER 21-27, 2012, AS “FLORIDA CITY GOVERNMENT WEEK,” AND ENCOURAGING ALL FLORIDA CITY OFFICIALS TO SUPPORT THIS

CELEBRATION BY PARTICIPATING IN THE “MY CITY: I’M PART OF IT, I’M PROUD OF IT!” ACTIVITIES

TAB E - PROPOSED RESOLUTION URGING CONGRESS TO CONSIDER AND PASS LEGISLATION THAT EXPANDS THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR PUBLIC SERVICES

TAB F - PROPOSED RESOLUTION SUPPORTING THE CREATION OF A LOW-COST FINANCING MECHANISM FOR CITIES TO MEET LOCAL WATER INFRASTRUCTURE NEEDS AND LEVERAGE FUNDING FOR DRINKING WATER, WASTEWATER, FLOOD CONTROL AND STORMWATER INFRASTRUCTURE

Vice Mayor Steril moved to approve the Consent Agenda, Tabs A through F, seconded by Mayor Pierre; passed unanimously.

PUBLIC HEARINGS – ORDINANCES, RESOLUTIONS, ZONING, LAND USE ITEMS, ETC.

QUASI-JUDICIAL ITEM(S)

TAB G - PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING THE CITY’S OFFICIAL ZONING MAP, REFERENCED IN ARTICLE 1, SECTION 1-106, TO REFLECT THE REZONING OF AN AREA CONSISTING OF FOUR ADJACENT LOTS LOCATED AT 11707 AND 11755 BISCAYNE BOULEVARD, AND AT 1700 AND 1750 SANS SOUCI BOULEVARD, FROM C2BE (COMMERCIAL) TO C-1 (COMMERCIAL) ZONING DESIGNATION, IN ORDER TO PROVIDE CONSISTENCY WITH THE LAND DEVELOPMENT REGULATIONS AND THE COMPREHENSIVE PLAN OF THE CITY OF NORTH MIAMI

Michael Etienne, Esquire, City Clerk, read the Ordinance title for the record. Mr. Etienne administered the oath to audience and staff testifying on the Quasi-Judicial Item. Councilman Blynn moved to approve the Ordinance, seconded by Mayor Pierre; for discussion. Council discussion. Public discussion. Council voted; passed unanimously, by roll call vote.

LEGISLATIVE MATTERS

ORDINANCES – SECOND READING AND PUBLIC HEARING

TAB H - PROPOSED ORDINANCE (SECOND READING) AMENDING CHAPTER 29 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT REGULATIONS”, BY AMENDING ARTICLE 7 ENTITLED “DEFINITIONS”, TO REVISE THE DEFINITION OF “RETAIL, SALES, AND SERVICE”, IN ORDER TO CLARIFY OUTDOOR DISPLAY AS INCIDENTAL TO THE SALE OF PRIMARILY NEW GOODS AND PRODUCTS, SPECIFICALLY AUTOMOBILES

Mr. Etienne read the Ordinance title for the record. Councilman Blynn moved to approve the Ordinance, seconded by Mayor Pierre; for discussion. No public discussion. No Council discussion. Council voted; passed unanimously, by roll call vote.

RESOLUTIONS

TAB I - PROPOSED RESOLUTION REVISING UNIFORM PROCEDURES AND GUIDELINES FOR AWARD OF GRANTS, DONATIONS AND/OR PURCHASING TICKETS, USE OF CITY EQUIPMENT AND SERVICES, USE OF CITY OWNED FACILITIES, AND USE OF THE CITY SHOWMOBILE

Mr. Etienne read the Resolution title for the record. Public discussion. Council discussion. Council recommended the following amendments to the Resolution:

- Include City Clerk in with Mayor and Council, passed unanimously;
- Remove the amount of time Mayor, Council and City Clerk can use the showmobile, passed 4-1. Councilman Galvin denied.
- Adding language that every not for profit or for profit organization is in good standing with the state of Florida, passed unanimously.
- Increase the limit for donations and grants to \$1,000, passed 4-1. Councilman Galvin denied.
- Amend language to allow for profit organizations to use the showmobile but to limit cash donations or grants.

Councilman Blynn moved to approve the Resolution, seconded by Councilman Marcellus; passed 4-1. Councilman Galvin denied.

TAB J - PROPOSED RESOLUTION APPROVING A THIRD AMENDMENT TO THE 2010 COMMUNITY HOUSING DEVELOPMENT ORGANIZATION AGREEMENT BETWEEN THE CITY OF NORTH MIAMI AND LITTLE HAITI HOUSING ASSOCIATION, INC., TO

ALLOW FOR THE CONVERSION OF TWO (2) UNSOLD UNITS TO MULTIFAMILY RENTAL UNITS IN ACCORDANCE WITH REQUIREMENTS OF THE HOME INVESTMENT PARTNERSHIP PROGRAM GUIDELINES, AND TO FURTHER PROVIDE FOR AN EXTENSION TO THE EFFECTIVE TERM OF THE AGREEMENT

Mr. Etienne read the Resolution title for the record. Councilman Blynn moved to approve the Resolution, seconded by Mayor Pierre; for discussion. Public discussion. Council discussion. Stephen Johnson, City Manager, gave a brief report to Council. Council voted; passed 4-1. Councilman Galvin denied.

REQUESTS – PETITIONS – COMMUNICATIONS

TAB K - DISCUSSION REGARDING EXPENDITURE OF ALLOCATED BISCAYNE LANDING MONIES

Tab K moved after Tab K2.

TAB K1 - REQUEST OF CATHERINE CHRISTOFIS FROM ANNUNCIATION GREEK ORTHODOX CHURCH TO OBTAIN SPONSORSHIP IN THE AMOUNT OF \$60,000 FROM THE CITY IN SUPPORT OF THE GREEK FESTIVAL, NOVEMBER 3-4, 2012

Catherine Christofis requested reconsideration of the request of the Greek Orthodox Church. Public discussion. Council discussion. Ms. Christofis requested approval of an electric sign board. Mr. Johnson advised at the present time, an electric sign board is not a permitted use and the banner request would need to be approved by the Florida Department of Transportation. Ms. Christofis requested approval of street closure. Mr. Johnson would coordinate with staff to obtain more information and follow up with this request.

TAB K2 - REQUEST OF SHIRLEY PLANTIN FROM FAMILY IMPRESSIONS FOUNDATION, INC. TO OBTAIN FUNDING FOR FISCAL YEAR 2012-2013 FOR THEIR ORGANIZATION

Shirley Plantin gave a brief report to Council regarding Family Impressions Foundation, Inc. Public discussion. Council discussion. Mayor Pierre moved to approve the request of \$45,000. Council discussion. Councilman Blynn moved to table the item. Council discussion.

Council recess, 9:35 pm.

Council meeting back in session, 9:49 pm:

**TAB K4 - DISCUSSION REGARDING EXPENDITURE OF
ALLOCATED BISCAYNE LANDING MONIES**

Public discussion. Council discussion. Mayor Pierre moved to allocate \$1 million to the Library. Council discussion. Councilman Blynn moved to request a one-year hiatus before spending any money, seconded by Councilman Galvin. Council discussion. Councilman Galvin withdrew his second to the motion. Council discussion. Councilman Marcellus moved to add an additional \$10 million to the Reserve Account, for a total of \$15 million in the Reserve account, with \$2.5 million remaining, seconded by Councilman Blynn; passed unanimously.

**TAB K2 - REQUEST OF SHIRLEY PLANTIN FROM FAMILY
IMPRESSIONS FOUNDATION, INC. TO OBTAIN FUNDING FOR
FISCAL YEAR 2012-2013 FOR THEIR ORGANIZATION**

Mayor Pierre moved to grant the request of \$45,000 to Family Impressions Foundation, Inc. Motion fails for lack of second.

**TAB K3 - REQUEST OF ALPHA PHI ALPHA FRATERNITY, INC.,
BETA BETA LAMBDA CHAPTER, TO OBTAIN SPONSORSHIP
FROM THE CITY**

Mayor Pierre moved to grant the request of \$10,000 to Alpha Phi Alpha Fraternity, Inc. Motion fails for lack of second.

Council discussion regarding allocating the remaining \$2.5 million at a later date and include items such as new police cars, improvements to city hall and library and other expenditures.

CITIZENS' FORUM

A variety of residents spoke on issues of interest.

COUNCIL REPORTS

Various items of interest presented by Council.

CITY CLERK'S REPORT

(NONE)

CITY ATTORNEY'S REPORT

Regine Monestime advised Council of a Charter Review Workshop scheduled on November 19, 2012, at 5:30 pm, with proposed changes to the Charter. Ms. Monestime recognized Hans Mardy and Carol Keys, Charter Board members present.

CITY MANAGER'S REPORT

Stephen Johnson reported on various construction projects throughout the city.

ADJOURNMENT

Meeting adjourned at 11:33 p.m.